



CORDELL BANK NATIONAL MARINE SANCTUARY SANCTUARY ADVISORY COUNCIL

MEETING MINUTES

February 25, 2015

12:30 PM

Point Reyes National Seashore Association, Conference Room, Point Reyes Station, CA

Note: The following meeting notes are an account of discussions at the meeting of the Sanctuary Advisory Council for Cordell Bank National Marine Sanctuary (CBNMS). The council is an advisory body to the sanctuary superintendent. The opinions and findings of this publication do not necessarily reflect the position of CBNMS and the National Oceanic and Atmospheric Administration (NOAA).

Call to Order/Welcome/Roll Call (George Clyde)

Advisory Council Chair George Clyde called the meeting to order at 12:46 PM and welcomed everyone. Advisory council coordinator Lilli Ferguson then called roll.

Members and Alternates Present:

George Clyde (Chair; Community-at-Large – Marin County)

Mike Cummings (Community-at-Large - Marin County Alt.)

Bill Wolpert (Community-at-Large – Sonoma County)

Sarah Hameed (Community-at-Large - Sonoma County Alt.)

Leslie Adler-Ivanbrook (Education)

Rachel Bergren (Education Alt.)

Richard Ogg (Fishing)

Noah Wagner (Fishing Alt.)

Kevin Krick (Vice Chair; Maritime Activities)

John Berge (Maritime Activities Alt.)

Jaime Jahncke (Research)

Agency Representatives and Alternates Present:

Dayna Matthews, NOAA Fisheries

LTJG Amanda Faulkner, U.S. Coast Guard (Alt.)

Members of the CBNMS staff were also present:

Dan Howard (Sanctuary Superintendent)

Michael Carver (Deputy Superintendent)

Lilli Ferguson (Resource Protection Specialist and advisory council coordinator)

Dani Lipski (Research Coordinator)

Review and Approve Agenda (George)

The agenda was reviewed and unanimously approved by the advisory council.

Review and Approve August Meeting Minutes (George)

The November 13, 2014 meeting minutes were reviewed and unanimously approved by the advisory council.

Sanctuary Superintendent's Report (Dan Howard)

- Appointments to the advisory council: Leslie Adler-Ivanbrook was appointed to a new term as the member for the Education seat; Michael Cummings was appointed to a new term as the alternate for the Community-at-Large – Marin County seat; and Tessa Hill was appointed to a term as the alternate for the Research seat.
- Ocean conditions continue to be dynamic: recent beached sea lion necropsies showed the animals were starving; however, juvenile rockfish numbers from the spring National Marine Fisheries Service (NMFS) trawl surveys were some of the highest ever recorded.
- CBNMS base budget: the allocation was about the same amount as last year, which covers salaries and a little more. CBNMS was also given funds for two “unfunded priorities,” to support two Applied California Current Ecosystem Studies (ACCESS) cruises. This was a joint proposal with Gulf of the Farallones National Marine Sanctuary (GFNMS). A secondary proposal has been submitted to Office of National Marine Sanctuaries (ONMS) Director Dan Basta of ONMS for full funding for a third cruise, but the reply has not been received yet. Finally, regarding facilities and exhibits, the staff is in its new offices, and work is underway on the new ocean interpretive center at the Point Reyes lighthouse.
- Site nomination process: People in locations around the country are encouraged to put packages together to nominate sites for national marine sanctuary designation; acceptance at this point means the nomination is accepted, not that the site is designated. There would be separate designation processes. A nomination for a site in Wisconsin in Lake Michigan has been accepted, as has a site on Malloys Bay on the Potomac River. A Chumash heritage site nomination north of Channel Islands National Marine Sanctuary is under review.
- San Francisco International Ocean Film Festival: will take place the weekend following the advisory council meeting (Friday afternoon through Monday evening). There is a great lineup, with films ranging from 5 – 50 minutes. There is a student film competition, with free attendance on Sunday morning, which CBNMS has sponsored for the past three years. The top ten of nearly 40 submittals from junior high and high school students will be shown. Student groups from Long Beach, San Antonio and Michigan will attend the festival.
- Threatened oceans panel: on the Saturday following the advisory council meeting, Dan will be part of a panel discussion on threatened oceans at the Bay Model.

Update on CBNMS Expansion (Dan)

- Since November, the project staff accomplished receipt of a federal consistency determination from the California Coastal Commission at its Monterey meeting, and publication of the final Environmental Impact Statement and final management plans. It was hoped that the final rule would have published prior to this meeting. Staff members at our headquarters, through the Office of Management and Budget, have been doing some interagency consultations and have discussions going with some other federal agencies on the final rule. Language is being worked on; the draft authorization language has been removed. The hope is the final rule will publish in the near future.

- The last thing after final rule publication will be a review period of 45 days of continuous session of Congress. At least two Congressional breaks will occur, so the overall period will be longer than 45 [calendar] days. The advisory council will be informed as soon as Dan knows something about the effective date of CBNMS expansion.

Discussion points:

- There will be one final rule, which will cover both CBNMS and GFNMS expansion.
- Staff members from different program areas, in collaboration with GFNMS staff members, will work with communities in the upcoming year. Dan already had a meeting with Regional Director Bill Douros and GFNMS Superintendent Maria Brown regarding plans for the first year.
- The separate introduced species regulations for GFNMS [and Monterey Bay National Marine Sanctuary] state waters final rule was released the week prior to this meeting. In Tomales Bay, if approved by the state after consultation with GFNMS, introduced species mariculture operations could be allowed. Any proposal for this would also have to go through other regulatory approvals.
- The GFNMS Advisory Council will be considering the question of an authorization regulation for GFNMS in the future, probably with a working group; the advice will be considered in NOAA's decision. After the GFNMS Advisory Council makes their recommendation, the CBNMS Advisory Council will need to consider how they want to proceed with this issue. Dan is open to further discussion about this.
- A sanctuary manager's permit is another tool that could potentially be utilized in approving an activity, but the activity would have to benefit the sanctuary in some way to be eligible.

CBNMS Resource Protection and Research Reports (Michael Carver and Dani Lipski)

- Resource Protection: Resource Protection Coordinator, Michael Carver reviewed the mission of national marine sanctuaries. Lilli let the group know the most updated ONMS vision and mission were contained in the 2014 CBNMS Advisory Council Charter. He went on to review vessel Automatic Identification System (AIS) data for the San Francisco Bay region. This is automatic tracking data from satellites that provides vessel positions, courses and speeds; densities can be determined from that information. By summer or fall 2015, papers discussing this data should be released related to vessels and whales. Michael also mentioned the people, including himself, recently honored for personal and professional excellence for working with the maritime industry and the Coast Guard on this issue, and expressed thanks to those industry and Coast Guard partners.
- The recent change in air emissions rules (sulfur limits) for vessels, which led to changes in vessel activities, was briefly reviewed.
- Research: Research Coordinator, Dani Lipski, reported that analyses were being done on the three 2014 ACCESS cruises.
- Last year, the dissolved oxygen monitoring deployment was in June and the hope is to have the sensor deployed sooner this year.
- Also last year, two remotely-operated vehicle (ROV) cruises for biological monitoring took place. Analysis of the Cordell Bank August ROV cruise still images will begin this June.,. For the North Coast ROV cruise, covering Bodega Canyon and "the football" area, the data analysis is underway.

- Dani explained there is a cascade of post-processing steps. It starts with collecting the data. The tapes are digitized, then checked for quality. The segments are standardized, then each segment reviewed for fish, invertebrates and habitats. Each transect is reviewed about four times; target species are identified and georeferenced, then put into a spreadsheet and relational database. The NOAA National Centers for Coastal Ocean Science, U.S. Geological Survey, and Cal Academy are contributing with analyses.
- In answer to a question about monitoring seasons, Dani said if it were a calm winter, and funding were available, it might be possible to do more monitoring in the winter. There are storms and rough conditions in the winter, though.

Cordell Marine Sanctuary Foundation Update (Tom Lambert)

- Tom Lambert, President of the Cordell Marine Sanctuary Foundation (CMSF), reported the board voted to increase the board membership from 7 to 9. The hope is to increase organizational effectiveness with a larger board.
- Jennifer Stock prepared a grant proposal with the foundation to update the foundation's outreach materials, for display at tabling events.
- Positive feedback has been received on the revised website.
- CMSF just signed onto an appropriations lobbying effort requesting \$60.5 million for the whole national marine sanctuary program; the effort was organized by the National Marine Sanctuary Foundation. There will be more work in the future, with expansions and [potentially] designation of new sanctuaries.
- CMSF has an advertisement in the San Francisco International Ocean Film Festival program.
- The National Marine Sanctuary Foundation is forming chapters; chapters have formed in Hawaii and for Grays Reef National Marine Sanctuary, and efforts are underway for a chapter for Flower Garden Banks National Marine Sanctuary. He believed CMSF should remain independent.
- People interested in being involved in the CMSF were encouraged to talk to Tom.

Law Enforcement Report (Dana Matthews)

- Dayna Matthews handed around a summary settlement schedule and explained a bit about what it was to the group.
- In October 2014, the NOAA National Marine Fisheries Service northwest and southwest regions merged; the process had started in June. NOAA Office of Law Enforcement (OLE) divisions also merged.
- Acting Northwest Division Senior Agent in Charge, William Giles, was named Assistant Director for the West Coast Division, and Acting Southwest Division Senior Agent in Charge, Martina Sagapolu, was named Deputy Agent in Charge for the West Coast Division.
- The primary area of responsibility is Washington, Oregon and California; besides coastal areas, they also cover secondary areas, such as airports. It is a large region, with five sanctuaries, and two international borders.
- The merger allows for more consistency; for example, the Pacific Fishery Management Council (PFMC) used to have two NMFS divisions reporting to it. He reviewed how the staffing plan has changed.
- Kevin Painter is the new senior agent in Santa Rosa, and is covering CBNMS. The supervisory position in Alameda is being advertised and will close in a few weeks, and an enforcement

officer position in Alameda will be advertised in the near future. Kevin will be Dayna's alternate for the NOAA Fisheries seat on the CBNMS advisory council.

- High priority issues under the National Marine Sanctuaries Act (NMSA) to enforce are: discharging or depositing any material injurious to sanctuary resources; vessels or tows that become grounded within the boundaries of any marine sanctuary; and unlawful operation of motorized personal watercraft, aircraft, etc. Medium priority issues are: unlawful removal or possession of historical artifacts, or protected marine resources, from within the sanctuary boundaries; and unlawful operation of a vessel in a closed area within any sanctuary boundary. They don't always use the NMSA for enforcement; they may use the Magnuson Stevens Act; it depends on "the best bang for the buck."

- He reviewed some recent enforcement cases in MBNMS and GFNMS.

- Every three months, General Counsel publishes on its website updates on enforcement decisions, charging information, the penalty policy and the schedule. The address is www.gc.noaa.gov/enforce-office.html. State enforcement actions are not posted there.

- It is not uncommon for a Notice of Violation and Assessment to be in the 5-6 figure range, and property may be seized.

- The enforcement Technical Advisory Committee met the last week of January, after not meeting for about four years; there was a good turnout. Near term specific priorities were discussed. There was also discussion at that meeting about picking up derelict fishing gear after the crab season closes; after a window of time it becomes derelict gear. This will be looked at by the PFMC and a groundfish advisory panel.

- Advisory council members engaged in discussion about picking up gear that has drifted into a national marine sanctuary or state marine protected area. It is legal to fish for crab in CBNMS, Dan noted. LTGJ Amanda Faulkner said there was a standard process for fishermen to make a notification that they are picking up gear that has drifted into a closed marine protected area. Also, CDFW asks to be contacted when a person finds someone else's derelict gear.

- The Joint Enforcement Agreement funds CDFW to enforce state regulations in national marine sanctuaries, and OLE encourages CDFW to do enforcement actions in national marine sanctuaries.

Public Comment

There was none.

North American Marine Environment Protection Association – Marine Environmental Education Initiatives (Ashley Cryan, NAMEPA)

- Kevin Krick introduced Ashley Cryan, and noted he had become a member of NAMEPA within six months of its founding. Ashley is the West Coast regional manager and the grants coordinator, so she works on developing new initiatives. She said NAMEPA was in 8 regions across the continent, with its main office in Connecticut. It has agreements with NOAA, with the ONMS and the Office of Restoration and Response, and works with the U.S. Coast Guard and the Coast Guard Auxiliary, the Ocean Conservancy, the California Coastal Commission, and others. She provided a review of the organization's projects.

- The shipping industry transports 90% of the world's goods on boats, and is heavily regulated. One of their products is a MARPOL (International Convention for the Prevention of Pollution from Ships) education guide.

- Marine environmental learning guides contain lesson plans with a Science, Technology, Engineering, and Mathematics (STEM) focus and are also “next generation-aligned”; they incorporate a lot of hands on and outdoor experiences.
- They have a miniseries of short documentary films.
- NAMEPA works with students from kindergarten to universities, as well as maritime academies, and has an educators’ guide to the marine environment. Some of the activities are done in workshop format.
- NAMEPA engages the industry at maritime events and conferences; one product they are trying to develop is a seafarer’s guide to the marine environment.
- The organization also hosts its own events, including award events.
- Coastal community outreach includes things like coastal cleanups and a Clean Marina Outreach day/month.
- In 2015, NAMEPA has many projects in the works, including an online career snapshots project, and they would like to do more education and products related to plastics.
- Ashley is always happy to work with national marine sanctuaries, and would be interested in collaborating on producing materials pertinent to CBNMS for various audiences. She would like to work on common goals.
- NAMEPA multimedia products could be used to reach inland communities.
- Dan observed NAMEPA could potentially help in getting out policy information across the nation in the future. He and others mentioned several potential partnership connections that could be made.

Members’ and Alternates Reports (advisory council)

Kevin reviewed the issue of pollution standard harmonization, and said he was hopeful for one sulfur standard to 200 miles off the California coast.

George mentioned he went for his first walk as a Beachwatch volunteer in December, from North Beach to Abbotts Lagoon and found 125 dead birds, most of them Cassin’s Auklets. The lack of krill led meant the young were not being able to be supported. In the next survey, only 5 dead Cassin’s Auklets were found.

Jaime Jahncke said the total number documented by the researchers along the West Coast was about 4,000 dead; likely the number that did not make it to the beach was much higher. In addition to the lack of krill, most of the chicks in the second brood at the Farallones were abandoned. Few Cassin’s Auklets were making burrows now. Seven brown boobies have been observed in the area with one displaying and bringing nesting materials back to the rock. ACCESS participants would be part of a night life event at the Cal Academy soon, and in April and May Point Blue will be at Cal Academy every week with focuses on Whale Alert and krill.

Sarah Hammed said a statewide plastic bag ban was postponed and would come up in a statewide referendum; the local bans still stand. Some Surfrider people had some concern about a quote in the newspaper about GFNMS looking at whether to allow use of motorized personal watercraft in the future. There is a new Coastal Marine Science Institute; Tessa Hill is involved and may be able to share plans for the Institute in the future. Bodega Marine Laboratory is hiring nonpaid interns this summer. The Bodega Bay Fish Festival is scheduled for April 11-12.

Rachel Bergren reported The Marine Mammal Center is experiencing a mass stranding of sea lions. They are about 8 months old, and are found on the beaches and other locations; they have prematurely separated from their mothers. The center has about 140 pups now, and typically not that many are seen at this time of year. It is hard to say if this is connected with what happening with seabirds, but they are malnourished. The Marine Mammal Center gives them a second chance, and the staff learns a lot about their physical condition. Some are affected by domoic acid toxicosis [they are sick from toxins produced by algae]. The chronic exposure to the toxins likely happens while in-utero and after drinking their mothers' milk.

John Berge mentioned the strike on the waterfront has meant congestion for ships. There are many in the Bay plus many drifting off the coast, generally past the 100 fathom mark. Initially, the offshore ships were drifting into crab pots; the ships are still out there but they are now working through getting them to port.

Leslie noted Point Reyes National Seashore and the Point Reyes National Seashore Association were chosen to serve as a hotspot for leave no trace traveling trainers, and that there would be a week of training in April.

George adjourned the meeting at 3:49 PM.